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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Argentina, Australia, Canada, Denmark, Finland, Germany, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Monaco, Poland, Portugal, Sweden and United States of America: draft resolution

Importance of human rights in the early warning and prevention of mass exoduses and in the emergency operations of the United Nations

The General Assembly,

Deeply disturbed by the escalating scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

Recalling its previous relevant resolutions, as well as those of the Commission on Human Rights, in particular resolution 1995/88 of 8 March 1995, and the conclusions of the World Conference on Human Rights, 1/ which recognized that gross violations of human rights, including in armed conflicts, are among the multiple and complex factors leading to displacement of people, and the need for a comprehensive approach by the international community to address root causes and effects of movements of refugees and other displaced persons and the strengthening of emergency preparedness and response mechanisms,

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1/ See Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

Conscious of the fact that mass exoduses of populations are caused by multiple and complex factors, such as human rights violations, political, ethnic and economic conflicts, famine, insecurity, violence, poverty and environmental degradation, which indicate that any approach to early warning requires an intersectoral and multidisciplinary approach,

Noting that the Secretary-General, in his report entitled "An Agenda for Peace", 2/ identifies the protection of human rights and the promotion of economic well-being as important elements of peace, security and development,

Noting the continuation of the inter-agency consultations on early warning regarding new mass flows of refugees and displaced persons, with the purpose of serving both prevention of and preparedness for emergencies,

Recognizing the important aspects of complementarity between the system for the protection of human rights and humanitarian action, and that humanitarian agencies make an important contribution to the achievement of human rights,

Stressing the need for strengthening international cooperation aimed at averting new massive flows of refugees while providing durable solutions to actual refugee situations,

Recognizing that the human rights machinery of the United Nations, including the mechanisms of the Commission on Human Rights and the human rights treaty bodies, has important capabilities to address human rights violations that cause movements of refugees and displaced persons or prevent durable solutions to their plight,

Convinced that the activities of these mechanisms with a view, inter alia, to preventing mass exoduses and the strengthening of emergency preparedness and response mechanisms should be encouraged and further developed and coordinated, with priority given to the systematization of early-warning information collection,

Recognizing that women and children constitute approximately 80 per cent of most refugee populations and that, in addition to the problems and needs they share with all refugees, women and girls in such circumstances are vulnerable to gender-based discrimination and gender-specific violence and exploitation,

Reiterating that development and rehabilitation assistance is essential in addressing some of the causes of mass exoduses and also in the context of the development of prevention strategies,

Welcoming the continuing efforts of the United Nations High Commissioner for Refugees to meet the protection and assistance needs of refugees and other persons of concern to her Office world wide,

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2/ A/47/277-S/24111.

1. Takes note of the report of the Secretary-General on human rights and mass exoduses; 3/

2. Welcomes the endorsement by the General Assembly, in its resolution 41/70 of 3 December 1986, of the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, religion or language;

3. Strongly deplores ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urges States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities;

4. Invites again all Governments and intergovernmental, humanitarian and non-governmental organizations concerned to intensify their cooperation and assistance in world-wide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and the causes of such exoduses;

5. Encourages States that have not already done so to consider acceding to the 1951 Convention 4/ and the 1967 Protocol 5/ relating to the Status of Refugees and to other relevant regional refugee instruments and relevant international human rights instruments;

6. Notes with appreciation the contribution made by the United Nations High Commissioner for Human Rights and the Centre for Human Rights to the development of the humanitarian early-warning system of the Department of Humanitarian Affairs, and welcomes ongoing consultations in this regard;

7. Invites the special rapporteurs, special representatives and working groups of the Commission on Human Rights and the United Nations human rights treaty bodies, acting within their mandates, to continue seeking information, where appropriate, on problems resulting in mass exoduses of populations or impeding their voluntary return home and, where appropriate, to include such information, together with recommendations thereon, in their reports, and to bring such information to the attention of the United Nations High Commissioner for Human Rights, for appropriate action within his mandate, in consultation with the United Nations High Commissioner for Refugees;

8. Requests all United Nations bodies, including the human rights treaty bodies, the specialized agencies and governmental, intergovernmental and non-governmental organizations, to cooperate fully with all mechanisms of the Commission and, in particular, to provide them with all relevant information in their possession on the human rights situations creating or affecting refugees and displaced persons;

3/ A/50/566.

4/ United Nations, Treaty Series, vol. 189, No. 2545.

5/ Ibid., vol. 606, No. 8791.

9. Requests the United Nations High Commissioner for Human Rights, in accordance with his mandate, as set out in General Assembly resolution 48/141 of 20 December 1993, and in cooperation with the United Nations High Commissioner for Refugees, to pay attention to situations that cause or threaten to cause mass exoduses and to address effectively such situations through emergency preparedness and response mechanisms, including information-sharing with United Nations early-warning mechanisms, and the provision of technical advice, expertise and cooperation;

10. Invites the Secretary-General to attach high priority and to make available the necessary resources within the regular budget of the United Nations for the consolidation and strengthening of emergency preparedness and response mechanisms, including early-warning activities in the humanitarian area, for the purpose of ensuring, inter alia, that effective action is taken to identify all human rights abuses that contribute to mass outflows of persons;

11. Also invites the Secretary-General to prepare and submit to the General Assembly at its fifty-second session a report containing detailed information on the programmatic, institutional, administrative, financial and managerial efforts instituted to enhance the capacity of the United Nations to avert new flows of refugees and to tackle the root causes of such outflows;

12. Decides to continue its consideration of this question at its fifty-second session.